

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

ERIC WARE,

Plaintiff,

v.

ALAN UCHTMAN, et al.,

Defendants.

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Civil No. **06-468-GPM**

ORDER

PROUD, Magistrate Judge:

Before the court is plaintiff Ware's "Motion for Entry of Default and Recovery of Service Expenses." (**Doc. 13**). Plaintiff requests entry of default relative to defendants Schorn and Prange. Plaintiff prays for "\$850.00 in service expenses for the filing of his motion, and the relief requested in the body of the complaint."

A review of the record reveals that plaintiff's motion was filed approximately one month before defendants Schorn and Prange's responsive pleadings were due. (*See Docs. 11 and 12*). Accordingly, the Clerk of Court declined to enter default. (**Doc. 14**). Therefore, plaintiff's motion for recovery of expenses and/or any sort of judgment amount, is moot.

IT IS THEREFORE ORDERED that plaintiff's motion for recovery of "service expenses" (**Doc. 13**) is **DENIED AS MOOT**.

IT IS SO ORDERED.

DATE: March 13, 2008

s/ Clifford J. Proud
CLIFFORD J. PROUD
UNITED STATES MAGISTRATE JUDGE